

(40) Marcelo Lopez Banobre, sentenced for 15 years;  
 (41) Jose Miguel Martinez Hernandez, sentenced for 13 years;  
 (42) Hector Maseda Gutierrez, sentenced for 20 years;  
 (43) Mario Enrique Mayo Hernandez, sentenced for 20 years;  
 (44) Dr. Luis Milan Fernandez, sentenced for 13 years;  
 (45) Nelson Moline Espino, sentenced for 20 years;  
 (46) Angel Juan Moya Acosta, sentenced for 20 years;  
 (47) Jesus Mustafa Felipe, sentenced for 25 years;  
 (48) Felix Navarro Rodriguez, sentenced for 25 years;  
 (49) Jorge Olivera Castillo, sentenced for 18 years;  
 (50) Pablo Pacheco Avila, sentenced for 20 years;  
 (51) Hector Palacios Ruiz, sentenced for 25 years;  
 (52) Arturo Perez de Alejo Rodriguez, sentenced for 20 years;  
 (53) Omar Pernet Hernandez, sentenced for 25 years;  
 (54) Horacio Julio Pina Borrego, sentenced for 20 years;  
 (55) Fabio Prieto Llorente, sentenced for 20 years;  
 (56) Alfredo Pulido Lopez, sentenced for 14 years;  
 (57) Jose Gabriel Ramon Castillo, sentenced for 20 years;  
 (58) Arnaldo Ramos Lauzerique, sentenced for 18 years;  
 (59) Blas Giraldo Reyes Rodriguez, sentenced for 25 years;  
 (60) Pedro Pablo Alvarez Ramos, sentenced for 25 years;  
 (61) Alexis Rodriguez Fernandez, sentenced for 15 years;  
 (62) Omar Rodriguez Saludes, sentenced for 27 years;  
 (63) Pedro Arguelles Moran, sentenced for 20 years;  
 (64) Omar Ruiz Hernandez, sentenced for 18 years;  
 (65) Claro Sanchez Albtarriba, sentenced for 15 years;  
 (66) Ariel Sigler Amaya, sentenced for 20 years;  
 (67) Guido Sigler Amaya, sentenced for 20 years;  
 (68) Ricardo Enrique Silva Gual, sentenced for 10 years;  
 (69) Fidel Suarez Cruz, sentenced for 20 years;  
 (70) Manuel Ubals Gonzalez, sentenced for 20 years;  
 (71) Julio Antonio Valdes Guevara, sentenced for 20 years;  
 (72) Miguel Valdes Tamayo, sentenced for 15 years;  
 (73) Hector Raul Valle Hernandez, sentenced for 12 years;  
 (74) Manuel Vazquez Portal, sentenced for 18 years; and  
 (75) Antonio Augusto Villarreal Acosta, sentenced for 15 years;

Whereas the imprisoned political opponents of Castro include librarians, journalists, poets, and others who have supported the Varela Project, which seeks to bring free speech, open elections, and democracy to Cuba;

Whereas Fidel Castro seized the opportunity to expand his brutal oppression of the people of Cuba while the attention of the United States and other nations around the world was focused on the war in Iraq;

Whereas the failure to condemn the Government of Cuba's continued political repression of democracy activists will further undermine the opportunity for freedom on the island; and

Whereas the international community missed an opportunity to speak against such brutal repression in a meaningful manner during the 59th Session of the United Nations Commission on Human Rights held in Geneva, Switzerland, from March 17, 2003, through April 23, 2003: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms—

(A) Senate Resolution 272, 107th Congress, unanimously agreed to June 10, 2002, calling for, among other things, amnesty for all political prisoners in Cuba;

(B) Senate Resolution 97, 108th Congress, unanimously agreed to April 7, 2003, condemning the crackdown on democracy activists in Cuba; and

(C) Senate Resolution 62, 108th Congress, unanimously agreed to June 27, 2003, calling upon the Organization of American States Inter-American Commission on Human Rights, the United Nations High Commissioner for Human Rights, the European Union, and human rights activists throughout the world to take certain actions in regard to the human rights situation in Cuba;

(2) calls on the Government of Cuba to immediately release individuals imprisoned for political purposes;

(3) praises the bravery of those Cubans who, because they practiced free speech and signed the Varela Project petition, have been targeted in this most recent government crackdown;

(4) calls on foreign governments to—

(A) increase the pressure on the Government of Cuba to improve its record on human rights in Cuba; and

(B) invite civil society leaders and democracy activists in Cuba to official events;

(5) calls upon the 60th Session of the United Nations Commission on Human Rights in Geneva from March 15, 2004, to April 23, 2004, to—

(A) condemn Cuba for its human rights abuses; and

(B) demand that inspectors from the International Committee of the Red Cross be allowed to visit and inspect the conditions of prisons to assess for the international community the extent of human rights abuses and the current situation in Cuba; and

(6) urges the President to direct United States Representatives at the 60th Session of the Commission on Human Rights to make the strong condemnation of the human rights situation in Cuba a top priority.

#### EXPRESSION OF APPRECIATION FOR PARALYZED VETERANS OF AMERICA

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 337, submitted by Senator MURKOWSKI earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 337) expressing the appreciation of the Senate for the Paralyzed Veterans of America.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, today it is my distinct honor to rise and submit a Senate resolution recognizing the Paralyzed Veterans of America Awareness Week, which is April 11–17, 2004.

Many of my colleagues may not be aware what an outstanding civic-minded organization the PVA is in our

country. But first let me tell you that these are not just ordinary citizens—they are veterans who sacrificed for our Nation in ways we can never fully repay. The PVA is composed of veterans of the Armed Forces who have spinal cord injuries. They are veterans who honorably and nobly served their country and continue to serve on a daily basis.

The PVA provides invaluable services to veterans' families and to our own Department of Veterans Affairs—ensuring that civil rights and access to viable transportation and affordable housing will always be provided to those with spinal cord injuries. PVA does this so their members may have the same opportunities as the rest of us—for whom these brave members fought—that they may have the independence that we all are blessed with in this country.

The PVA is a leader in medical and prosthetic research, funding two research foundations that investigate a broad spectrum of neurological sciences to seek a cure for spinal cord injury as well as breakthroughs in rehabilitation to improve the quality of life of all Americans with spinal cord injuries.

I would like to also remind my fellow Senators that the PVA is the sponsor of the Nation's largest wheelchair sports programs, fostering a wide range of sporting, and indoor, and outdoor recreational events to encourage physical activity and comradeship so vital to the ongoing rehabilitation of its members.

I encourage all of you, indeed all Americans, to take time next week to thank those who have made such tremendous sacrifices in order for us to enjoy the freedoms we now possess. And please take time from your day and find out how you can help and volunteer with your local PVA chapter.

Mr. FRIST. I ask consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table en bloc, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 337) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 337

Whereas for 58 years Paralyzed Veterans of America (PVA), a veterans service organization chartered by Congress, has served the needs of its members, veterans of the Armed Forces who have experienced spinal cord injury or dysfunction;

Whereas Paralyzed Veterans of America, with 34 chapters and 6 subchapters, has a stated mission to be a leading advocate for quality health care for its members through the health care system of the Department of Veterans Affairs, the Department network of Spinal Cord Injury Centers, and other private and public health care providers;

Whereas Paralyzed Veterans of America, with 57 service offices and a network of service officers, has helped its members and hundreds of thousands of other veterans receive

the benefits and health care they have earned through service in the Armed Forces;

Whereas Paralyzed Veterans of America is a leader in medical and prosthetic research, funding two research foundations that investigate a broad spectrum of neurological science to seek a cure for spinal cord injury as well as breakthroughs in rehabilitation to improve the quality of life of all Americans with spinal cord injury or dysfunction;

Whereas Paralyzed Veterans of America is a leading advocate within the veterans community in the Nation's capital, making certain the needs of its members are recognized by Congress and the Executive Branch of the Federal Government;

Whereas the Advocacy Program of Paralyzed Veterans of America joins the disability community in seeking to ensure civil rights and access to transportation, housing, and the physical environment for individuals with disabilities in order to maximize the independence of all Americans with disabilities;

Whereas through its architecture programs, Paralyzed Veterans of America is a leading force in barrier-free design, serving as consultant in the public and private sector to ensure a barrier-free physical environment for all Americans with disabilities;

Whereas Paralyzed Veterans of America has one of the Nation's largest wheelchair sports programs, fostering a wide range of sporting, indoor, and outdoor recreational events to encourage physical activity and comradeship so vital to the ongoing rehabilitation of its members;

Whereas Paralyzed Veterans of America is designating the week of April 11 through 17, 2004, as Paralyzed Veterans of America Awareness Week in order to support a wide variety of programs designated to highlight the services it provides nationwide and promote recognition of the sacrifice its members have made on behalf of a grateful Nation: Now therefore be it

*Resolved*, That the Senate—

(1) salutes Paralyzed Veterans of America (PVA) during Paralyzed Veterans of America Awareness Week, the week of April 11 through 17, 2004; and

(2) encourages all Americans to acknowledge and express their appreciation for the past and on-going contributions of Paralyzed Veterans of America to disabled veterans and to all other Americans with disabilities.

#### FEDERAL WORKFORCE FLEXIBILITY ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 428, S. 129.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 129) to provide for reform relating to Federal employment, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 129

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

[(a) SHORT TITLE.—This Act may be cited as the “Federal Workforce Flexibility Act of 2003”.]

[(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

[Sec. 1. Short title; table of contents.]

[TITLE I—FEDERAL HUMAN RESOURCES  
MANAGEMENT INNOVATIONS

[Sec. 101. Streamlined personnel management demonstration projects.]

[Sec. 102. Effective date.]

[TITLE II—REFORMS RELATING TO FEDERAL HUMAN CAPITAL MANAGEMENT

[Sec. 201. Recruitment, relocation, and retention bonuses.]

[Sec. 202. Streamlined critical pay authority.]

[Sec. 203. Civil service retirement system computation for part-time service.]

[Sec. 204. Corrections relating to pay administration.]

[TITLE III—REFORMS RELATING TO FEDERAL EMPLOYEE CAREER DEVELOPMENT AND BENEFITS

[Sec. 301. Agency training.]

[Sec. 302. Annual leave enhancements.]

[TITLE I—FEDERAL HUMAN RESOURCES  
MANAGEMENT INNOVATIONS

[SEC. 101. STREAMLINED PERSONNEL MANAGEMENT DEMONSTRATION PROJECTS.]

[Chapter 47 of title 5, United States Code, is amended—

[(1) in section 4701—

[(A) in subsection (a)—

[(i) by striking “(a)”;

[(ii) by striking paragraph (1) and inserting the following:

[(1) “agency” means an Executive agency and any entity that is subject to any provision of this title that could be waived under section 4703, but does not include—

[(A) the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Imagery and Mapping Agency, the National Security Agency, and, as determined by the President, any Executive agency or unit thereof which is designated by the President and which has as its principal function the conduct of foreign intelligence or counterintelligence activities; or

[(B) the General Accounting Office;”]

[(iii) in paragraph (4), by striking “and” at the end;

[(iv) by redesignating paragraph (5) as paragraph (6); and

[(v) by inserting after paragraph (4) the following:

[(5) “modification” means a significant change in 1 or more of the elements of a demonstration project plan as described in section 4703(b)(1); and”]

[(B) by striking subsection (b); and

[(2) in section 4703—

[(A) in subsection (a)—

[(i) by striking “conduct and evaluate demonstration projects” and inserting “conduct, modify, and evaluate demonstration projects”;

[(ii) by striking “, including any law or regulation relating to—” and all that follows and inserting a period; and

[(iii) by adding at the end the following: “The decision to initiate or modify a project under this section shall be made by the Office.”]

[(B) by striking subsection (b) and inserting the following:

[(b) Before conducting or entering into any agreement or contract to conduct a demonstration project, the Office shall ensure—

[(1) that each project has a plan which describes—

[(A) its purpose;

[(B) the employees to be covered;

[(C) its anticipated outcomes and resource implications, including how the project relates to carrying out the agency's strategic plan, including meeting performance goals and objectives, and accomplishing its mission;

[(D) the personnel policies and procedures the project will use that differ from those otherwise available and applicable, including a specific citation of any provisions of law, rule, or regulation to be waived and a specific description of any contemplated action for which there is a lack of specific authority;

[(E) the method of evaluating the project; and

[(F) the agency's system for ensuring that the project is implemented in a manner consistent with merit system principles;

[(2) notification of the proposed project to employees who are likely to be affected by the project;

[(3) an appropriate comment period;

[(4) publication of the final plan in the Federal Register;

[(5) notification of the final project at least 90 days in advance of the date any project proposed under this section is to take effect to employees who are likely to be affected by the project;

[(6) publication of any subsequent modification in the Federal Register; and

[(7) notification of any subsequent modification to employees who are included in the project.”]

[(C) in subsection (c)—

[(i) by striking paragraph (1) and inserting the following:

[(1) any provision of chapter 63 or subpart G of part III of this title;”]

[(ii) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively;

[(iii) by inserting after paragraph (3) the following:

[(4) section 7342, 7351, or 7353;

[(5) the Ethics in Government Act of 1978 (5 U.S.C. App.);”]

[(iv) in paragraph (6) as redesignated, by striking “paragraph (1), (2), or (3) of this subsection; or” and inserting “paragraphs (1) through (5);”]

[(D) by striking subsections (d) and (e) and inserting the following:

[(d)(1) Unless terminated at an earlier date in accordance with this section, each demonstration project shall terminate at the end of the 10-year period beginning on the date on which the project takes effect.

[(2) Before the end of the 5-year period beginning on the date on which a demonstration project takes effect, the Office shall submit a recommendation to Congress on whether Congress should enact legislation to make that project permanent.

[(e) The Office may terminate a demonstration project under this chapter if the Office determines that the project—

[(1) is not consistent with merit system principles set forth in section 2301, veterans' preference principles, or the provisions of this chapter; or

[(2) otherwise imposes a substantial hardship on, or is not in the best interests of, the public, the Government, employees, or eligibles.”]

[(E) by striking subsections (h) and (i) and inserting the following:

[(h) Notwithstanding section 2302(e)(1), for purposes of applying section 2302(b)(11) in a demonstration project under this chapter, the term “veterans' preference requirement” means any of the specific provisions of the demonstration project plan that are designed to ensure that the project is consistent with veterans' preference principles.